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EVERETT, MASS.**Ice Cream—Sale of, in Cones Prohibited on Streets. (Reg. L, Bd. of H., Apr. 26, 1915.)**

(b) No person or corporation, individually or by his or its agents, servants, or employees shall sell or offer for sale or have in his or its possession with intent to sell, ice cream in cones from wagons, carts, or stands on the public streets or ways of the city of Everett.

EVERETT, WASH.**Milk and Cream—Care and Sale. Milk Inspector—Duties of. (Ord. 1642, Mar. 9, 1915.)**

SECTION 1. The milk inspector of the city of Everett shall keep an office and shall record in books kept for the purpose the names and places of business of all persons engaged in the sale of milk or cream within the limits of said city. He may, with the approval of the city council, employ collectors of samples of milk, who shall be sworn before entering upon their duties. The inspectors or collectors may enter all places in which milk is stored or kept for sale and all carriages used for the conveyance of milk or cream and may take therefrom samples for analysis, testing, or inspection. They shall, upon request made at the time such sample is taken, seal and deliver to the owner or person from whose possession the milk or cream is taken, a portion of such sample, and a receipt therefor shall be given to the inspector or collector. The inspector shall cause such sample to be analyzed or otherwise satisfactorily tested as to its quality and purity and shall record and preserve as evidence the result thereof, and no evidence of the result of such analysis or test shall be received if the inspector or collector upon request refuses or neglects to seal and deliver a portion of the sample taken, as aforesaid, to the owner or person from whose possession it is taken.

SEC. 2. It shall be unlawful for any person to sell or deliver, offer, or expose for sale, or have in his possession with intent to sell or deliver any milk or cream in the city of Everett without having obtained a permit from the milk inspector and without registering in the office of such inspector his name and proposed place of sale.

SEC. 3. It shall be unlawful for any retail or wholesale dealer in milk or cream in the city of Everett to sell, offer, or expose for sale any milk or cream unless the same shall have been procured by him from a dairy or dairies which are kept and maintained as provided in this ordinance and which have been duly inspected and a permit issued by the milk inspector.

SEC. 4. For the purpose of this ordinance, normal milk or cream is defined as milk or cream—

- (1) Which is free from any foreign substance or substances whatsoever.
- (2) Which is pure, healthy, wholesome, and uninfected.
- (3) Which is free from coloring matter or preservatives.
- (4) Which is free from all pathogenic bacteria or germs, puss cells, or blood cells.
- (5) Which does not contain more than 100,000 bacteria or germs of all kinds to the cubic centimeter.
- (6) Which has not been infected by or exposed to any contagious or infectious diseases.
- (7) Which is produced by cows which are healthy and free from all kinds of disease, and kept in a healthy, sanitary condition, and fed upon wholesome food.
- (8) Which is not produced by a cow within 15 days before or 5 days after parturition; or in any case before fever has left such cow.
- (9) And milk from which the cream, and no part of the same, has been taken.

Standard milk is defined as milk which contains not less than 12 per cent of milk solids and not less than 8.75 per cent of solids exclusive of fat and not less than 3.25

per cent of fat, except milk sold or kept for sale in the manner and conditions prescribed for sale of skimmed milk.

Standard cream is defined as cream containing not less than 18 per cent of butter fat.

SEC. 5. It shall be unlawful for any person by himself or by his servant or agent, or as the servant or agent of another, to sell, exchange, or deliver, or have in his custody or possession with intent to sell, exchange, or deliver, milk or cream which is not normal and of standard quality.

SEC. 6. Skimmed milk is defined as normal milk containing less than 3.25 per cent of fat and containing not less than 9.3 per cent of solids.

It shall be unlawful for any person, by himself, or by his agent or servant, or as the servant or agent of another, to sell, exchange, or deliver, or to offer for sale or exchange; or to have in his possession with intent to sell, exchange, or deliver, any skimmed milk of the character herein permitted to be sold or exchanged, except in cans or bottles plainly stamped in some prominent and conspicuous manner with the words "Skimmed milk"; and it shall be unlawful to sell, serve, or keep for sale or service in a hotel, restaurant, or boarding house any such skimmed milk without having displayed in a conspicuous manner in every room where so sold or served placards in large letters bearing the words "Skimmed milk sold here."

SEC. 7. It shall be unlawful for any person to make, use, or have in his possession an imitation or counterfeit of seal used by an inspector of milk, collector of samples, or other person engaged in the inspection of milk.

SEC. 8. It shall be unlawful for the inspector of milk, or his servant or agent, to connive at or assent to the violation of the provisions of this ordinance.

SEC. 9. No person selling or offering for sale milk produced by cows owned by him, or under his charge and control, shall be liable to prosecution for the reason that such milk is not of standard quality unless such milk was taken from his possession or while in his possession or under his control by an inspector or by a collector of samples, or by an agent, and a sealed sample thereof given to him.

SEC. 10. The milk inspector or a collector of samples who obtains a sample of milk for analysis shall, within 10 days after obtaining the result of the analysis, send said result to the person from whom the sample was taken, or to the owner of such milk.

SEC. 11. An inspector shall make complaint for a violation of any of the provisions of this ordinance upon the information of any person who lays before him sufficient evidence to sustain such complaint.

SEC. 12. All milk or cream sold as pasteurized milk or cream shall be held at a temperature of 140° F. for a period of not less than 30 minutes; it shall then be quickly cooled and delivered to the consumer within 24 hours after the pasteurization.

SEC. 13. It shall be unlawful to sell or offer for sale in the city of Everett any milk or cream from cows which have not within one year prior thereto been subjected to a subcutaneous injection of tuberculin in the manner approved by the Department of Agriculture of the United States by the State veterinarian, or by a veterinarian of the United States Bureau of Animal Industry, or by a veterinary surgeon regularly licensed under the laws of the State of Washington, unless such milk or cream has been pasteurized.

SEC. 14. It shall be unlawful for any retail dairyman or merchant to sell milk or cream in any manner whatsoever except in glass bottles, well stoppered. Milk or cream sold to merchants for the purpose of being retailed shall in every instance be bottled either by the dairyman or the wholesale milk dealer, and it shall be unlawful for any retail merchant to sell milk or cream otherwise. In no case shall milk or cream be bottled in the wagon or vehicle in which it is being conveyed or from which it is being distributed: *Provided, however,* That nothing in this section shall prohibit restaurants, hotels, or bakeries from purchasing milk or cream in bulk of 1 or more gallons.

SEC. 15. All milk brought or shipped into the city of Everett to be sold for human food shall be, immediately after being drawn from the cow, aerated and cooled to a temperature of not to exceed 60° F., and all milk and cream shall be delivered to the consumer at a temperature of not to exceed 60° F. All milk offered for sale or shipped, transported, or delivered for the purpose of sale in violation of this ordinance shall be condemned and confiscated.

SEC. 16. It shall be unlawful for any person to ship or bring into the city of Everett for the purpose of selling or offering for sale, or to sell or offer for sale therein, for human food, any milk or cream unless the cans, vessels, and receptacles used in handling the same are clean and free from foreign or unwholesome substance or substances, and all packages, refrigerators, compartments, or other places where such milk or cream is kept, stored, or handled, shall be kept clean and free from the presence of any article or substance likely to contaminate or injure the quality or sweetness of such milk or cream, and unless the cans, bottles, or other receptacles in which such milk or cream is kept shall be used for such purpose only, and shall be thoroughly cleansed and sterilized with boiling water or live steam each time they are used. All bottles shall be sealed immediately after they are filled.

SEC. 17. Any person violating any of the provisions of this ordinance shall, upon conviction, be punished by a fine in any sum not exceeding \$100, or be imprisoned in the city jail for any period not exceeding 30 days; or by both such fine and imprisonment.

SEC. 18. That ordinances Nos. 1225 and 1232 of the city of Everett, and all ordinances and parts of ordinances in conflict herewith, be, and the same are hereby repealed: *Provided, however,* That no offense committed and no penalty or forfeiture incurred previous to the time when any ordinance is repealed, whether such repeal be expressed or implied by this ordinance, shall be affected in any way by such repeal, and no prosecution for any offense or for the recovery of any penalty or forfeiture pending at the time of the taking effect of this ordinance shall be affected by such repeal, and such offense, penalty, or forfeiture shall be governed by any such prosecution shall proceed under the ordinances existing at the time of the commission of such offense or beginning of such prosecution, the same as if such ordinances were not repealed.

Milk—Production of. (Reg. Bd. of H., Mar. 30, 1915.)

The cows.—1. All cows in herd must be healthy.

2. Cows must be kept clean.

3. Manure must not be permitted to collect upon the tail, side, udder, or belly of any milch cows. (The clipping of the long hairs from the udder and flank of the cow will assist in preventing this condition.)

Water supply.—1. The water for use for the cows or washing milk utensils must be free from contamination.

Barn yard.—1. Must be well drained.

2. Manure must not be allowed to collect within 50 feet of the barn, or within 100 feet of the milk house or well, and so arranged as to drain in an opposite direction from the well.

Stable.—1. Stables must be well lighted and ventilated.

2. Floors must be tight and well drained.

3. Stables must not be cleaned during milking but at least one hour prior thereto.

4. Wall and ceiling must be kept clean.

5. Stables should have at least 500 cubic feet of air space per cow.

6. Stables must be whitewashed twice a year.

7. Cobwebs, dirt, or filth of any kind must not be allowed to collect upon the walls, ceilings, ledges, manger or partitions.